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**CERTIFICATE OF FACSIMILE TRANSMISSION**

This is to certify that this document entitled Summary of Telephonic Interviews and Request for Status Report is being faxed to the Commissioner for Patents at fax no. 571-273-8300 this 21st day of November, 2006.

*Phyllis D Caldwell*

**REPLY UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER 1610  
ART UNIT 1616**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	09/233,443	Confirmation No.	7428
Applicant	:	van LINGERICH		
Filed	:	01/20/1999		
TC/A.U.	:	1616		
Examiner	:	WEBMAN, Edward J.		
Docket No.	:	BVL-105		
Customer No.	:	23290		

**SUMMARY OF TELEPHONIC INTERVIEWS  
AND REQUEST FOR STATUS REPORT**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Amendment After Final Rejection Under 37 C.F.R. 1.116 and Summary of  
Telephone Conference with Examiner in response to a Final Rejection dated June 21,

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2006, was filed in the above-identified application via certificate of facsimile dated July 31, 2006. An Advisory Action in response thereto was mailed August 14, 2006.

However, a Supplemental Amendment After Final Rejection Under 37 C.F.R. 1.116 and Summary of Telephone Conferences With Examiner was filed via certificate of facsimile on August 9, 2006. Neither an Advisory Action nor a Notice of Allowance in response to the August 9, 2006 Supplemental Amendment has been received.

However, through several telephone conferences with Examiner Webman in August and October 2006, it was ascertained that the case was being allowed. A Notice of Appeal was due September 21, 2006, but has not been filed in view of the telephone conferences.

The undersigned attorney spoke to Examiner Webman on November 15, 2006, and Examiner Webman advised that the case was allowed on September 5, 2006, but apparently the allowance was not reviewed yet. Mr. Webman advised the undersigned to call his supervisor to see if there was an administrative mechanism to stop the time for filing of an appeal. The undersigned spoke to SPE Johann Richter on November 20, 2006. Mr. Richter said that PAIR shows the case as being allowed, and that it was not necessary to file an extension and Notice of Appeal because the case was allowed. Mr. Richter said

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that they could not send a notice of allowance until the allowance was approved by the review panel. The undersigned asked him what would happen if the review panel reversed the Examiner's allowance. Mr. Richter said that they would make the Office Action a non-final rejection, and therefore we would not have to file an extension and a Notice of Appeal. The undersigned asked when would the panel make their decision. Mr. Richter said that they should make the decision within two months of the allowance, that the time has passed, and that last week he requested the panel to expedite their decision.

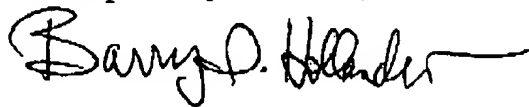
In view of the facts that the Examiner and the SPE have said that the case is allowed, the SPE said it is not necessary to file an extension and a Notice of Appeal in view of the allowance, and if the allowance was reversed, a non-final action would be mailed resetting the time, the undersigned will not file a Notice of Appeal and Request for Extension of Time by the November 21, 2006 extended due date. Applicant thanks SPE Johann Richter for the courtesies extended to his representative during the November 20, 2006 telephone conference.

It is respectfully requested that a Notice of Allowance, or a status report indicating that the case has been allowed be sent to Applicant, or other appropriate action resetting

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the period for response be mailed prior to the December 21, 2006 six-month statutory due date.

Respectfully submitted,



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November 21, 2006